



CITY OF HAYWARD AGENDA REPORT

Planning Commission
Meeting Date 02/10/00
Agenda Item 1

TO: PLANNING COMMISSION

FROM: Sheldon McClellan, Senior Planner

SUBJECT: Zone Change 99-190-01 - Society of Saint Vincent de Paul (Applicant/Owner): Request to change zoning from Central City-Commercial Subdistrict/Cottage Special Design Overlay District (CC-C/SD-3) to Planned Development District/Cottage Special Design Overlay District (PD/SD-3) to construct ten residential cottages and extend Grace Court (private street) to Melvin Court. *Property is generally located on Grace Court between Grace Street and Smalley Avenue and at 22331 Mission Boulevard.*

RECOMMENDATION:

Staff recommends that the Planning Commission recommend that the City Council:

1. Approve the attached Negative Declaration.
2. Approve the Zone Change.

DISCUSSION:

Background

The North Hayward Neighborhood Plan was adopted in July 19, 1994. This planning effort provided the neighborhood an opportunity to review land use policies and other General Plan policies for the larger neighborhood including the subject site. The Neighborhood Plan reflects the neighborhood's preference for single family cottage development in the area and on the site and did so by making design provisions for the cottage development within the North Hayward Neighborhood Plan.

Surrounding Land Uses

The site is bounded on the northerly side by Grace Street. Across Grace Street is a mixture of single-family and multi-family units. The west side of the property abuts single-family and multi-family dwellings and a commercial building that fronts Smalley Avenue. Commercial uses front Mission Boulevard. The site is bounded on the southerly side by Smalley Avenue and Melvin Court. Automotive related uses are located across Melvin Court. Across Smalley Avenue is a mixture of residential dwellings and vacant commercial property.

Property/Project Description

The site is comprised of 4 parcels totaling 1.9 acres. The larger (1.37 acres) of the 4 parcels is irregular in shape and includes the former Ritz Theater building that is now used as a retail thrift store by the Society of St. Vincent de Paul, an adjacent parking lot with access from Mission Boulevard and a small cottage that fronts Melvin Court. This parcel also includes an auto storage lot leased out to another business that is located at the property frontage along Smalley Avenue and Melvin Court. The other three parcels are behind and west of the thrift store and parking lot and have frontage on Grace Court, a private street that terminates behind the store and is part of the larger 1.37-acre parcel. These three smaller parcels are developed each with a small one-story cottage. The land around these units is open and is not fenced except for an 8-foot-high chain-link fence that surrounds the entire 1.9-acre site to the west and along the street frontages of Grace Street and Smalley Avenue. The site is void of any landscape treatment around the dwellings, but several large trees on the property are to be retained. A landscape planter adjacent to Mission Boulevard that enhances the thrift store parking lot is well maintained.

The applicant proposes to consolidate the four parcels into one parcel and rezone the property from CC-C (Central City-Commercial) Subdistrict/SD-3 (Cottage Special Design Overlay) District to PD (Planned Development) District in order to construct a housing project behind the thrift store consisting of ten new cottages and the relocation of one unit of four existing units on the property.

The existing four units and the proposed ten cottages will be a rental housing project operated by the Society of St. Vincent de Paul, an international Catholic organization that provides assistance to the poor and needy. Eden Housing has been approached by the Society to consider management of the cottage units. The development is to remain open and no fencing is proposed between units except at the rear where private yards may be created for privacy. Although the Society intends to operate the facility as rental housing, staff recommends that a subdivision map be filed to provide greater flexibility in meeting future ownership housing demands. As such, a condition of approval has been added to that effect and requires that, prior to approval of the precise plan, that a tentative map be filed and approved.

Conformance to the General Plan/Neighborhood Plan

The General Policies Plan Map designates this area as COMMERCIAL/HIGH DESTINY RESIDENTIAL. The proposed construction of 10 new residential cottages on the property complies with the plan designation. The net area of the residential development site is 1.2 acres. With the existing four units and the proposed 10 new cottages being developed on this property, the net density is 11.6 dwellings per acre or approximately 3,765 square feet of land area per dwelling unit. The General Plan Zoning Consistency Matrix lists projects with densities up to Medium Density, 4,000 square feet per dwelling unit as being potentially consistent with the plan.

The project is consistent with the purpose of the Planned Development District in that it fosters a well-designed residential development that incorporates a combination of building setback and open space configuration. It takes advantage of the site and maximizes the property's use while maintaining harmony with the surrounding neighborhood.

The proposed project is subject to the policies contained in the North Hayward Neighborhood Plan, which was adopted by City Council on July 19, 1994. The North Hayward Neighborhood Plan sets forth the following land use policies:

Support neighborhood character in land use policies.

North Hayward Neighborhood Plan land use strategies include:

B (1). Keep the Montgomery Area as a family neighborhood with traditional features.

- a. *Retain the appearance of single-family homes in residential development along Peralta, Montgomery, Sunset, Simon, and Grace.*
- b. *Require new development on Montgomery, Peralta, Grace, Simon and Sunset to continue front lawns, porches and gabled rooflines. Double garages in front, extensive paving and stark elevations do not fit.*
- e. *Zone residential areas on Pearce Street, Grace Court and Smalley to allow residences. Seek to replace auto repair uses over time.*

B (2) Retain the historic pattern of Pearce Street.

- a. *Allow narrow streets and cottages on small lots so existing development is conforming and new development of the same style is allowed on both sides of the street.*
- b. *Also allow cottage development on Grace Court to Smalley to extend pattern.*
- c. *Apply a Special Design District Zoning Overlay to Pearce Street allowing small lots and requiring only one parking space for small houses.*

Request City-wide Policies for Neighborhood Safety and Stability

Assure that all providers of drop-in recovery or socialization centers, transition and half-way housing and group homes with over six residents have a limited impact on neighborhood character including parking, property maintenance and client conduct. Neighborhood residents should be notified of whom to contact at the social service agencies to solve problems.

The proposed Planned Development zoning is still consistent with the policy of the North Hayward Neighborhood Plan to preserve the single-family character of the neighborhood and build cottage-type units. The existing CC-C Subdistrict/SD-3 (Cottage Special Design Overlay)

District does not permit the construction of single-family detached homes, and thus, the request for Planned Development District zoning to carry out the mandate of the neighborhood plan.

The North Hayward Neighborhood Plan task force expressed major concern regarding the establishment of transitional housing, half-way houses and drop-in socialization and recovery centers within their neighborhood. They did not negate the idea of allowing cottage-like units for families. The proposed project is not like the typical uses that they expressed concern about. This project will provide short term housing for families in detached cottages, which will be consistent with the North Hayward Neighborhood Plan. These units are to be low market rate and affordable units as start up housing for families in need. After a period of time (approximately 6 months to 1 year), the occupants will be moved on to other housing and then the units will be offered to other needy families. Staff has understood that while this housing is short-term in the sense that families would not be permanently occupying the units, the proposed cottages are unlike the half-way houses and large group homes specified in the North Hayward Neighborhood Plan as being a concern to area residents.

Requirements for Cottage Special Design District (SD-3)

The North Hayward Neighborhood Plan states that this overlay district allows an historic pattern of small-lot, single-family cottage development near town and transit which would otherwise be precluded by contemporary lot size, front setback and parking requirements. Cottage development may utilize lesser lot sizes and parking requirements herein; other development shall follow the lot size, setbacks and parking requirements of the underlying district and respect the context of small-scale residential development in design and siting. The development plan submitted within the proposed Planned Development District provides for the requirements of this Cottage Special Design District (SD-3) except where noted below.

Parameters of Cottage Development:

1. **A Cottage should not exceed 1200 square feet of living space or have more than 900 square feet on one floor.** The proposed 10 units do not exceed the maximum unit size of 1200 square feet, but since the units are only one story, they exceed the allowable 900 square feet per floor by 62 square feet. Staff believes that this is a minor point of non-compliance. A reduction of floor area does not necessarily mean that the project would be improved.
2. **Maximum Building Height shall be 28 feet.** The proposed models have an actual roof height of 15 and 17 ½ feet.
3. **Minimum Front Setback shall be 10 feet, unless nearest cottage on same side of street has less.** Because three cottages already exist on Grace Court and are closer than 10 feet, the general layout is set. Cottage No. 4 is to be relocated so that the site area between other existing units meets a favorable pattern. Cottage No. 5 (existing unit) will only be approximately 4 feet behind the proposed sidewalk and the porch is directly behind the setback. New cottages will be positioned approximately 8 to 13 feet from the inside of the

sidewalk along the private street. The entry porches penetrate the setback area and would be as close as 4 feet to the sidewalk. The cottage porches on the east side of Grace Court would have approximately 7 feet of landscaping between them and the sidewalk.

4. **Minimum Rear Setback shall be 20 feet.** Technically, the property has triple frontage and no rear yard. The off-site units that are adjacent to the westerly property line are situated as a side yard setback. All the proposed cottages have an approximate 15-foot setback to either the westerly property line or the proposed masonry wall that will divide the commercial site from the area to be developed with cottages on site. A 20-foot setback is not possible because of given conditions of the present site development of existing units or the position of Grace Court on the site. Staff believes that to request a minimum rear yard setback of 20 feet for each unit would negate the entire project since the existing road configuration of Grace Court and placement of units already along this private street limit the site area to provide this setback.

Site Development

In order to provide improved access to these new units, Grace Court will be extended and connected to Melvin Court. Grace Court will remain a private street. The thrift store and parking lot are to be sectioned off from the residential area by masonry wall. Access to the unloading area and rear door of the thrift store will be provided from the parking lot.

The applicant proposes to maintain and operate the thrift store as a means of income to finance their commitment to helping those who are in need. With the recent City Council approval of the revisions to the Zoning Ordinance, thrift stores will no longer be permitted uses in the CC-C Subdistrict. The conditions of approval of this project includes a condition that if the owner sells the property or no longer operates the thrift store, that the use will no longer be permitted on the property.

The legal, nonconforming thrift store operates with incoming donated goods being passed through a rear door of the store. An 8-foot high masonry wall is proposed to divide the site and separate the commercial and residential uses and should act as a sound barrier between the unloading area of the store and parking area next to Cottages Nos. 12 and 13. A condition of approval requires that a pedestrian door with security lock be placed in the wall to allow access between the properties. The thrift store is in need of maintenance and the conditions of approval require that the building be repainted and that additional landscaping be placed within the parking lot to meet current City standards.

Unit Design

The applicant proposes two model types. Each model contains 962 square feet of floor area. The floor plan for each appears to be identical except for the size of the front porch and the roof structure, which gives each model a totally different appearance. Some units are reversed which also adds to their diversity. As with the existing four units on the property, the models are to be single story and contain two bedrooms, one bath, and a formal dining room. An area

is provided for laundry facilities within each unit. Front porches range between 182 and 214 square feet each. Units No. 10 and No. 11 are designed to take advantage of their corner lot presence on Smalley Avenue and Melvin Court and have wrap-around porches that are 286 square feet in area. Small back porches are also provided.

The design of the two cottage models reflects the Craftsman Style with some detailing such as wood brackets and 2 x 4 open truss work under the pitched composition shingle roofs. As with the Craftsman Style, a medium-pitched gable roof is proposed with a dormer where roof venting is needed. Wood columns, pickets on porch railings and latticed-openings below the porches add to the design of these modest-sized units. Exterior 1 x 8 horizontal wood siding is used on all the units that will relate to the clapboard siding used on three of the four existing units. The dwelling located on the Melvin Court frontage is a different design than the other units and is clad in stucco. Windows of the proposed units are shown to be horizontal type with wood trim. Typically, pioneer cottages had double-hung, vertical windows. A condition of approval has been included requiring that double-hung windows be used on the new construction to match the window type already in place on existing units. Overall, staff believes that the project architect has done a very good job in creating a cottage unit that ties in well with the neighborhood and units on the property. Final colors for the cottages have not yet been selected, but they are to be painted in light earth tones that will blend in with surrounding development.

In keeping with the Cottage District development pattern, detached garages are proposed at the rear of the properties where feasible. The proposed cottages located on the east side of Grace Court have limited area to the width of the area where the units are to be placed, so the garages are placed in the area where a lesser depth occurs behind the thrift store. Garages are also proposed for the four existing units that presently have none. To lessen the amount of asphalt within the project, and to increase landscaping around the cottages, the garages have been placed in pairs with shared driveways between them except for unit 11 which has a detached single-car garage. As with units 3, 4, 5 and 6, all four units share a driveway. Even though some of the garages are not directly adjacent to the corresponding unit, staff does not believe this to be a negative element of the plan. The architect also planned for guest parking above the required one off-street parking space. Where feasible, some driveways have sufficient area in front of the garages for additional open parking. These pavement areas will also provide play areas for children when not used for parking. Five additional open visitor-parking spaces are also provided within two bays at the center of the private street.

Grace Court

It is proposed that Grace Court (a private street) be extended to intersect with Melvin Court (a one-way street going west/south bound between Mission Boulevard and Smalley Avenue. The right-of-way width of Grace Court will be 25 feet with a curb-to-curb width of 24 feet providing for two travel lanes. The street will be posted for "No Parking" in order to meet the minimum 20-foot width required by the Fire Department. The street will provide for two-way traffic flow to both Grace Street and Melvin Court. The plans indicate 4-foot wide sidewalks on both sides of the private street.

Grading

It is anticipated that only minor grading will be required for development of the property. The proposed minimal grading to be done will not interfere with the existing drainage patterns of the adjacent sites nor will the development augment drainage to the surrounding area.

Soils, Geology

A geotechnical investigation was performed on the site by MS Geotechnical Consulting, dated December 18, 1986. While most of the property is within the Earthquake Fault Zone, trenching at the rear of the property where proposed cottages are to be constructed indicates that the site is free from any active faulting and the report does not reflect any significant soil problems. At the city's request, the applicant's geologist, Mervel Engineering, Inc., has updated certain information of that earlier prepared report. These additions to the report were found to be acceptable. The City's peer review consultant concludes that the applicant's engineer has addressed all concerns previously expressed and that the active trace of the Hayward fault is located east of Mission Boulevard, well east of the proposed development and that the report concludes that there is a low probability of active faulting occurring at the site. Foundation design and other geotechnical aspects of development will be designed based on recommendations by a qualified soil engineer.

With a change in land use where the vehicular storage yard is located at Smalley Avenue and Melvin Court, the City Hazardous Materials Specialist has requested that a phase I preliminary site assessment be conducted prior to the issuance of a building permit to assure that no minor ground contamination has occurred from the vehicular storage yard. The conditions of approval require the developer to resolve all contamination issues to the satisfaction of the Alameda County Health Care Service Agency and the City prior to any construction activities.

Environmental Review

Consistent with State CEQA and City Guidelines, an Initial Study and Negative Declaration were prepared and circulated for a period of 20 days beginning on August 13, 1999. A notice of its availability for review and notice of this hearing were sent to all property owners and occupants within 300 feet of the perimeter of the property and to other interested parties. The environmental review concluded that the project would not have a significant effect on the environment.

Public Hearing Notice/Neighborhood Meeting


On August 13, 1999 and October 1, 1999, notices of the Planning Commission public hearing was mailed to all property owners and occupants within 300 feet of the project boundaries, other interested parties, and former members of the *North Hayward Neighborhood Task Force*. No written responses from the notices have been received as of the date of this writing except for one letter that was generated from a newspaper article that appeared in the *Daily Review*. The letter expressed opposition to the proposed project (see attachments).

On September 8, 1999, the City held a neighborhood information meeting to obtain comments from the area residents relating to the design of the project and the type of housing being proposed. Notices for this special information meeting were mailed to all property owners and occupants within 300 feet of the project boundaries, other interested parties, and former members of the *North Hayward Neighborhood Task Force*. A total of 13 persons attended the meeting, 7 of these persons were from the neighborhood or expressed an interest in the project. These persons unanimously supported the project and said that they hoped it would be constructed since they believed it would improve the neighborhood. All persons believed that if the project were managed by professional staff, that they would not be concerned about the needy families occupying the cottages.


CONCLUSION

The zone change to Planned Development District with the proposed conditions of approval to allow single-family residential development to occur on the property is consistent with the intent and policies of the *General Policies Plan* and the *North Hayward Neighborhood Plan*. Both encourage development of the area with small cottage dwellings. The project is compatible with the surrounding uses and the development pattern, will enhance the residential character of the area.

Prepared by:

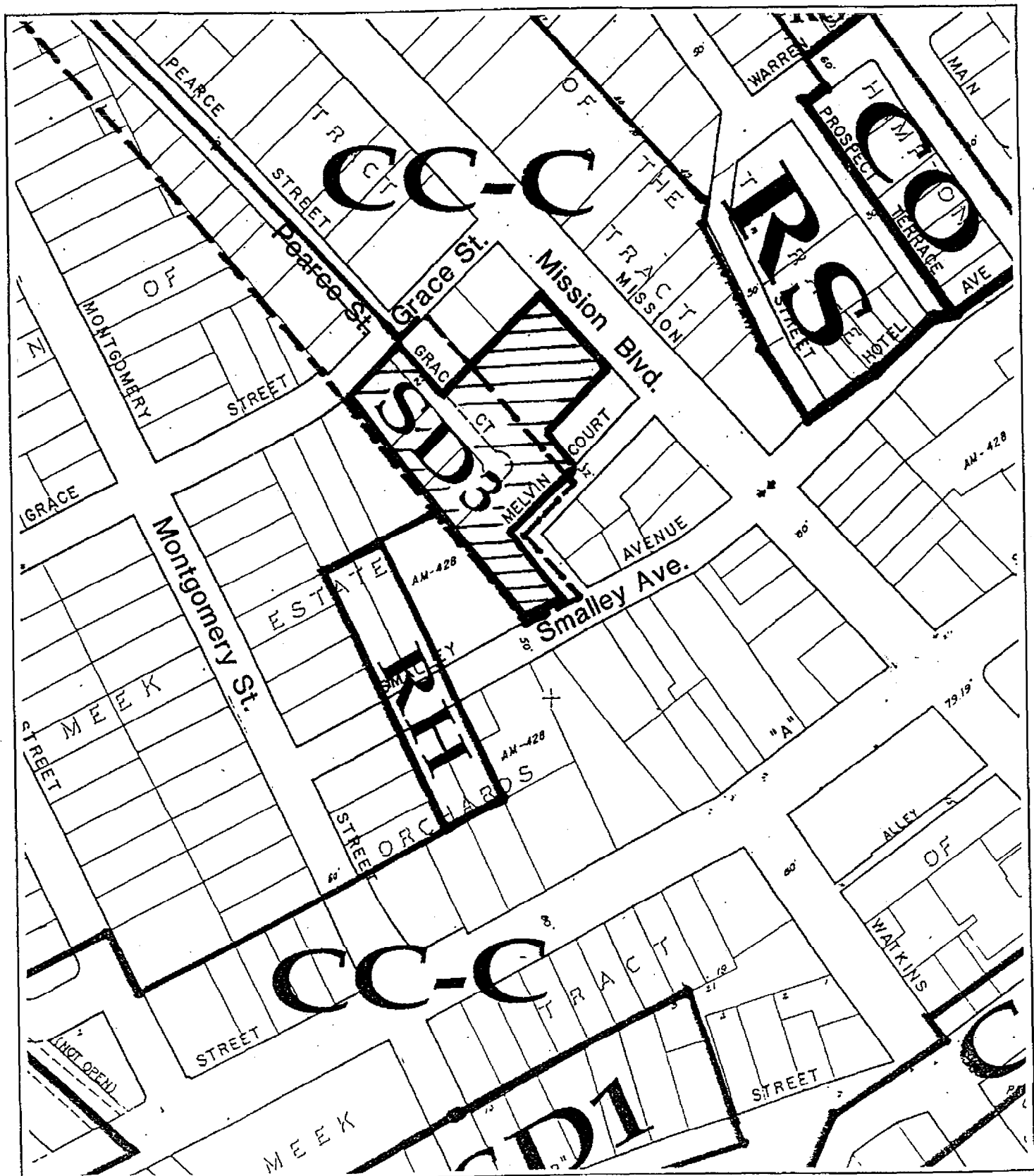

Sheldon R. McClellan
Senior Planner

Recommended by:


Dyana Anderly, AICP
Planning Manager

Attachments:

- A. Area map/Zoning Map
 - B. Findings for Approval (Zone Change 99-190-01)
 - C. Conditions of Approval
 - D. Negative Declaration & Initial Study
 - E. Letter, dated September 5, 1999
- Development Plan



ZONING/AREA MAP ■ ZC 99-190-01

William S. Lyons (Applicant)

ATTACHMENT A

Society of St. Vincent de Paul (Owner)

Grace Court - between Grace St. and Smalley Ave.

FINDINGS FOR APPROVAL

ZONE CHANGE APPLICATION 99-190-01

Society of Saint Vincent de Paul

Based on the staff report and the public hearing record, the City Council finds:

- A. That the development is in substantial harmony with the surrounding area and conforms to the General Plan and applicable City policies in that the project is infill residential at a density and type allowed by the North Hayward Neighborhood Plan and the Downtown area and adds to the existing housing type on the property.
- B. That the streets and utilities, existing or proposed, are adequate to serve the development and meet the minimum development standards of the city.
- C. The development creates a residential environment of sustained desirability and stability with small cottage-like units that tie into the existing layout and design of dwelling units on the property. Existing public facilities, such as parks and playgrounds are adequate to serve the anticipated population. The development will have no substantial adverse effect upon surrounding development.
- D. The project will be constructed in a single phase and all elements of the project, such as street extension, parking, placement of fencing and the sound wall, will be developed with the initial construction.
- E. That the proposed setback from the private street to the new dwellings is adequately offset or compensated for by providing continuity within the project with the setback of existing units, that a unique housing type be provided that fulfills the intent of the General Plan for cottage-style, single-family detached, low-income housing in the area, that much of the site is to be landscaped with pavement held to a minimum and that the site plan lends itself to place the cottages on separate lots if they are to be sold as independent units.

CONDITIONS OF APPROVAL

Zone Change 99-190-01

Society of Saint Vincent de Paul (Applicant/Owner)

Request to rezone property from CC-C (Central City-Commercial) Subdistrict/SD-3 (Cottage Special Design Overlay) District to PD (Planned Development) District/SD-3 (Cottage Special Design Overlay) District in order to construct ten new cottages and to relocate one unit of four existing units on the property, to extend Grace Court (private street) to Melvin Court. Property is located at 757 Grace Street, 773 and 765 Grace Court and 808 Smalley Avenue running between Grace Street and Melvin Court and Smalley Avenue and at 22331 Mission Boulevard, westerly side, 100 feet south of Grace Street.

1. This permit becomes void one year following the date of approval by the City Council, unless prior to that time a Precise Plan is submitted or an extension is approved. A request for a one-year extension(s), approval of which is not guaranteed, must be submitted to the Planning Director at least 30 days prior to the expiration date.
2. Prior to approval of the precise plan, the City shall approve a tentative map, final map and improvement plans for the project. The final map shall incorporate all necessary easements and shall designate the extended portion of Grace Court as an approved private street.
3. Prior to issuance of a building permit, the final map shall be recorded in the office of the Alameda County Recorder.
4. All improvements shown on the Precise Plan must be installed before approval of occupancy of any unit within the project.
5. The Precise Plan shall be submitted for approval of the Planning Director and shall include a detailed landscaping and irrigation plans for all common areas, detailed plans for all site amenities within the common areas, details for fencing of private yards, samples of colors and materials for all exterior building materials, screening of all above ground utilities, transformers, and utility meters, and the submission of a Phase I report.
6. The thrift store on the property shall be considered a legal, non-conforming use within the Planned Development District as long as it is operated by the Society of Saint Vincent de Paul. If the property is sold or the thrift store is no longer to be operated by the Society of Saint Vincent de Paul, then the thrift store shall cease operation and no longer be permitted as a use on the property.

ATTACHMENT C

7. The landscaping and irrigation plans shall be prepared by a licensed landscape architect and submitted for review and approval by the City. Landscaping and irrigation plans shall comply with the City's *Water Efficient Landscape Ordinance*.
 - a. One 15-gallon street tree is required for every 20 lineal feet of frontage on Smalley Avenue, Melvin Court, Grace Court and Grace Street. Trees shall be planted according to the City Standard Detail SD-122.
 - b. A minimum of one 15-gallon evergreen tree shall be planted every 20 feet along the west property line and adjacent to the St. Vincent de Paul store and parking/loading area.
 - c. The planters on Mission Boulevard shall be re-landscaped to include shrubs, groundcovers and three 24-inch box street trees.
 - d. The St. Vincent de Paul parking lot shall include one 15-gallon tree for every 6 parking stalls. Parking lot trees shall be planted in tree wells or landscape medians located within the parking area. Parking rows shall be capped with a landscaped median. All tree wells and medians shall be a minimum of 5 feet wide measured inside the curbs.
 - e. Masonry walls shall be screened on both sides with evergreen vines planted 5 feet apart.
 - f. All above ground utilities, mechanical equipment and trash enclosures shall be screened from the street with vines and shrubs.
8. Existing trees shall be preserved as indicated on the Conceptual Landscape Plan. Grading and improvement plans shall include tree preservation and protection measures. Trees shall be fenced at the drip line throughout the construction period.
9. All landscaping and irrigation shall be installed prior to acceptance of site improvements, or occupancy of 80 percent of the dwelling units, whichever first occurs.
10. Park Dedication In-Lieu Fees are required for each new dwelling unit. Fees shall be those in effect at the time of issuance of the building permit and shall be paid prior to occupancy

11. Landscaping shall be maintained in a healthy, weed-free condition at all times. The owner's representative shall inspect the landscaping on a monthly basis and any dead or dying plants (plants that exhibit over 30 percent die-back) shall be replaced within ten days of the inspection.
12. Trees shall be preserved in accordance with the *Tree Preservation Ordinance*. Trees shall not be severely pruned, topped or pollarded. Any trees that are pruned in this manner shall be replaced with a tree species selected by, and size determined by the City Landscape Architect, within the timeframe established by the City and pursuant to Municipal Code. A tree removal permit is required prior to the removal of any tree. Replacement trees shall be required for any trees removed, as determined by the City Landscape Architect.
13. Landscaping and irrigation plans shall comply with the City's Water Efficient Landscape Ordinance. A Certificate of Substantial Completion and Irrigation Schedule shall be submitted by the project landscape architect prior to approval of occupancy.
14. Prior to issuance of a building permit a certificate of merger, combining all affected parcels into one parcel, shall be recorded in the office of the Alameda County Recorder.
15. Parking stalls and maneuvering areas shall comply with the requirements of the City Off-Street Parking Regulations.
16. The parking lot for the St. Vincent De Paul store shall include two handicap parking stalls that meet Title 24 and American Disabilities Act (ADA) requirements. The locations of the handicap parking stalls shall be approved by the Planning Director.
17. The parking lot for the St. Vincent De Paul store shall be modified to provide an on-site circulation area. The design shall be approved by the Planning Director.
18. Each open parking space within a bay shall be provided with a Class "B" Portland Cement concrete bumper block except where the space has a continuous concrete curb which is not less than 6 inches in height above the finished pavement.
19. Where any landscaped area adjoins parking areas, Class "B" Portland Cement concrete curbs shall be constructed to a height of 6 inches above the finished pavement.

20. Each unit garage shall be equipped with an automatic garage door opening mechanism.
21. Detached garages shall reflect the same architectural design of the cottages. The double car garages shall be divided for separate usage. The minimum interior dimension of garage spaces shall be 11 feet by 19 feet for parking plus additional area to accommodate storage of garbage and recycling containers. The design and construction of the garage shall be executed to accommodate building codes without the use of parapet walls dividing the roof structure.
22. The garage of each unit shall be maintained for off-street parking and shall not be converted to living area or storage. Parking stalls shall be used only for vehicles in operating condition and no recreational vehicles or trailer-hauled boats may be parked or stored within the project. Vehicles parked contrary to this provision shall be removed by the owner or property manager. The owner/property manager shall include in any rental agreement authority to tow illegally parked vehicles.
23. Individual garbage can(s) and recycling bins shall be kept within the garage of each unit except upon pick-up day.
24. Exterior hose bibs shall be provided for each unit within the private open space areas and the front and rear yard areas.
25. No external individual television or radio transmission or reception antennas shall be permitted except small DBS or DSS type antennas. Enclosed attic antennas or other approved system shall serve all dwelling units.
26. The Precise Plan shall include details of all project fencing. Fencing shall be attractive and shall be approved by the Planning Director. Fencing for the project shall be as follows:
 - a. All chain-link fencing shall be removed from the property.
 - b. A 6-foot-high decorative solid board fence shall be constructed along the westerly property line except where the property abuts the commercial building that fronts Smalley Avenue. The wood fence shall step down to a maximum 4-foot-height within 20 feet of the sidewalk along Grace Street.
 - c. A 6-foot-high decorative-concrete block or precast-concrete wall shall be placed along the westerly property line between the commercial building and Smalley Avenue. The concrete wall shall step down to a maximum 4-foot-height within 10 feet of the sidewalk along Smalley Avenue.

- d. A 6-foot-high decorative wood fence shall be placed along the side property line abutting Grace Court and single-family dwelling located at the southeast corner of Grace Street and Grace Court. The fence shall step down to a maximum of 4 feet high within 10 feet of the sidewalk along Grace Street. The fence shall then extend around the rear of the dwelling along the north property line to its intersection with Mission Boulevard. The fence shall then step down again to a maximum 4 feet high within 10 of the Mission Boulevard sidewalk.
 - e. The residential portion of the property shall be separated from the commercial store and parking lot by an 8-foot-high decorative precast or masonry wall.
 - f. If fencing is desired at the rear of the cottages for privacy or individual activity areas, the fencing shall be a maximum height of 6 feet and shall incorporate a design that blends in with the cottage/Craftsman design theme.
- 27. Utility meters shall be located at the side of each of the units and shall be screened by plant material or other approved material and shall provide sufficient distance for reader access.
 - 28. Adequate decorative lighting consistent with the cottage architectural style shall be provided along the private street, parking bays, and along the sidewalk areas. The type of lighting fixtures and location shall be approved by the Planning Department and shall reflect the design and theme of the project. In addition, a lantern style pedestrian light at the front entry walk shall be provided. Exterior lighting shall be shielded and deflected away from neighboring properties. Any pole lighting shall not exceed 14 feet in height unless waived by the Planning Director.
 - 29. A minimum of 100 square feet of usable open space per dwelling shall be maintained within close proximity to each residential building.
 - 30. Any minor alteration to the proposed design, which does not require a variance out of character to the intent of this project approval or to any zoning code, may be approved by the Planning Director.
 - 31. All exterior building materials and colors shall be approved by the Planning Director.

32. The property owner or assigned management company shall maintain in good repair all building exteriors, fencing, parking and street surfaces, landscaping, lighting, drainage improvements, etc. Any graffiti painted on the property shall be painted out or removed within seven days of occurrence.
33. Mechanical equipment, such as air conditioners and solar collectors, shall be prohibited on the roof.
34. Double hung windows shall be incorporated into each unit.
35. Prior to approval of occupancy of each unit, applicable Supplemental Building Construction and Improvement Tax and Park Dedication In-lieu Fees shall be paid. Taxes and fees shall be those in effect at the time of issuance of the building permits.
36. The minimum building setbacks from property lines shall be as shown on the approved Preliminary Development Plan.
37. Development shall comply with the City's Security Ordinance.
38. Prior to occupancy of any new cottage unit on the property, the applicant shall repaint the retail building. The color scheme shall be approved by the Planning Director.
39. A Phase I report shall be done on the property to address the area where automobile storage has occurred. Any contamination on the property identified shall be addressed and removed to the satisfaction of the City Hazardous Materials Coordinator.

Street:

40. Grace Court shall be extended to Melvin Court. The street extension improvements shall be designed to match the existing Melvin Court improvements.
41. The private street shall be designed in conformance with the City Standard Detail SD-102. The proposed street shall have a 25-foot-wide right-of-way supporting a 24-foot-wide curb-to-curb section. A 4.5-foot-wide sidewalk and a 6 foot Public Utility Easement (P.U.E.) shall abut both sides of the street right-of-way.
42. The private street improvements shall conform to public street standards. A plan, prepared by a registered Civil Engineer, that indicates a street profile, underground utilities and street structural section shall be submitted and approved by the City Engineer.

43. The curb returns at the intersection of Grace Court and Melvin Court shall have face of curb radius of 20 feet.
44. No parking signs shall be posted on both sides of the private street. The street curbs shall be painted red. Tow-away signs shall be provided for illegally parked vehicles and the property owner shall monitor the street for compliance.
45. Adequate decorative street lighting consistent with the cottage architectural style shall be provided along the Grace Court and Melvin Court property frontages. Street light poles must be placed behind the sidewalk in the P.U.E. The design and location shall be approved by the City Engineer.
46. Prior to occupancy of any unit, Grace Court and the portion of Melvin Court fronting on the project shall be improved to private and public street standards.

Water:

47. The water main within Grace Court shall be extended and connected to the existing 6-inch main within Melvin Court.
48. Water meters that serve the existing structures that are to be abandoned shall be removed by City Water Distribution Personnel at the developer's expense.
49. The water main shall be located 5 feet off of the face of curb. The minimum separation between a water service line and a sanitary sewer lateral shall be 6 feet, and between sanitary sewer main and water main shall be 10 feet. Water meters shall be a minimum of 2-foot clear of top of driveway flare.

Sanitary Sewer:

50. The existing 6-inch sanitary sewer main on Grace Court shall be extended to serve the development. The design shall be approved by the City Engineer.

Storm Drainage:

51. A storm drain line shall be installed within Grace Court to serve the project. The drainage pipe shall connect to the existing 21-inch storm drain main in Grace Street. The size, type and location of the storm drainage pipe shall be approved by the City Engineer.

Building Construction and Fire Protection:

52. Fire hydrants shall be installed along the Grace Court (new) at every 400 feet of travel distance. Fire hydrants shall meet City of Hayward standards and provide a minimum of 1500 GPM @ 20 PSI.

53. All new or relocated cottages shall apply for the proper building permits.
54. All cottages shall have smoke detectors installed per the Uniform Building Code.
55. All cottages shall have a minimum Class C roofing.
56. All cottages shall have a minimum 6-inch self-illuminated address numbers installed so that they are visible from the street.
57. Solid waste and recycling requirements shall be as follows:
 - a. The applicant shall ensure that adequate storage space be located inside each home or garage for the containers for garbage (32-, 64-, or 96-gallon, two-wheeled cart), recyclables (two 18-gallon bins), and yard trimmings (64-, or 96-gallon, two wheeled cart). The storage area required for each cart or pair of bins is 36 x 36 inches, or a total of 9 feet long x 3 feet wide.
 - b. If project landscaping is to be maintained by an outside contractor, then provision shall be made for the storage of green waste or shall be hauled off the site.
 - c. The applicant shall submit for City review an on-site recycling plan, which will be implemented during the entire demolition and construction phases.
 - (1) The plan shall show the anticipated start and completion dates of the project.
 - (2) Provide an estimate of the quantities of construction and demolition waste that will be generated by the project.
 - (3) Estimate the quantities of material that will be recycled and identify the facilities that will be used.
 - d. The Applicant must ensure that construction and demolition debris is removed from the site by a licensed contractor as an incidental part of a total construction, remodeling, or demolition service offered by that contractor, rather than as a separately contracted or subcontracted hauling service using debris boxes.
 - e. The Applicant must contact the City's franchised hauler, Waste Management of Alameda County, at 537-5500 to arrange for delivery of containers with sufficient capacity to store construction and demolition materials to be landfilled.

58. The operator of the facility shall provide on an on-going basis the name and number of a contact person who manages the property to surrounding residents and business owners.



**DEPARTMENT OF
COMMUNITY AND ECONOMIC DEVELOPMENT
Planning Division**

NEGATIVE DECLARATION

Notice is hereby given that the City of Hayward finds that no significant effect on the environment as prescribed by the California Environmental Quality Act of 1970, as amended will occur for the following proposed project:

I. PROJECT DESCRIPTION:

ZONE CHANGE 99-190-01 - SOCIETY OF SAINT VINCENT DE PAUL.
(APPLICANT/OWNER). Request to rezone property from CC-C (Central City-Commercial) Subdistrict/SD-3 (Cottage Special Design Overlay) District to PD (Planned Development) District/SD-3 (Cottage Special Design Overlay) District in order to construct a transitional housing project consisting of ten new cottages and to relocate one unit of four existing units on the property, to extend Grace Court (private street) to Melvin Court. Property is located at 757 Grace Street, 773 and 765 Grace Court and 808 Smalley Avenue running between Grace Street and Melvin Court and Smalley Avenue and at 22331 Mission Boulevard, westerly side, 100 feet south of Grace Street.

II. FINDING PROJECT WILL NOT SIGNIFICANTLY AFFECT ENVIRONMENT:

The proposed project, as conditioned, will have no significant effect on the area's resources, cumulative or otherwise.

III. FINDINGS SUPPORTING DECLARATION:

1. The project application has been reviewed according to the standards and requirements of the California Environmental Quality Act (CEQA) and an Initial Study Environmental Evaluation Checklist has been prepared for the proposed project. The Initial Study has determined that the proposed project could not result in significant effects on the environment.
2. The project is in substantial harmony with the surrounding area since the project proposes a continuation of small detached cottage-like units that are on the property and similar to the small single-family dwellings found along Grace Street and alson Pierce Street and in conformance with the General Policies that calls for development of this type of development within the SD-3 (Cottage Special Design Overlay) District of the North Hayward Neighborhood Plan

3. Existing streets in the area and with the extension of Grace Court (a private street) and existing utilities are all adequate to serve the proposed additional 10 units on this property.
4. The development as designed creates a residential environment of sustained desirability and stability in that each of the proposed 10 cottages in conjunction with the existing four cottages on the site are located along the Grace Court so that each unit will have a private private covered garage parking space, an open visitor parking stall within the driveway or adjacent parking bay, provision of private usable open space adjacent to the unit, and that the development site is near to parks and schools and that the project will have no substantial adverse effect upon surrounding development.
5. The requested exception to the intent of the North Hayward Neighborhood Plan provisions for requirements for cottage special Design District (SD-3) for a minimum rear yard of 20 feet is justified in this particular development since the property has triple street frontages and no rear yard. The placement of the proposed cottages provides for rear yards backing onto the side property line. While the applicant will comply with the City's policy of placing a map on the project for future selling the units, they do not intend to sell the units at this time. The applicant has worked within the restrictions of the property where the private street already exists and sufficient depth to allow a deeper rear yard is not possible. The placement of the cottages is very similar to the existing cottages along the Grace Court and the provision of a "rear yard" for each provides adequate area for private usable open space as found in other multi-family projects in the downtown area.

IV. PERSON WHO PREPARED INITIAL STUDY:



Sheldon R. McClellan, Senior Planner

Dated: July 30, 1999

V. COPY OF INITIAL STUDY IS ATTACHED

For additional information, please contact the City of Hayward Development Review Services Division, 777 B Street, Hayward, CA 94541-5007 or telephone (510) 583-4210

DISTRIBUTION/POSTING

Provide copies to project applicants and all organizations and individuals requesting it in writing. Reference in all public hearing notices to be distributed 20 days in advance of initial public hearing and/or published once in Daily Review 20 days prior to hearing.

Project file.

Post immediately upon receipt at the City Clerk's Office, the Main City Hall bulletin board, and in all City library branches, and do not remove until the date after the public hearing.

INITIAL STUDY CHECKLIST FORM
(Revised)

Project title: Planned Development Zone Change 99-190-01

Lead agency name and address: City of Hayward, 777 B Street., Hayward, CA 94541-5007

Contact persons and phone number: Sheldon McClellan, Senior Planner (510) 583-4215

Project location: Generally located on Grace Court between Grace Street and Smalley Avenue and at 22331 Mission Boulevard, westerly side, approximately 100 feet south of Grace Street.

Project sponsor's name and address:

Society of Saint Vincent de Paul, 9235 San Leandro Street, Oakland, CA 94603

General plan designation: Commercial/High Density Residential

Zoning: CC-C/SD-3 (Central City-Commercial/Cottage Special Design Overlay District

Description of project: Request to rezone property from CC-C (Central City-Commercial) Subdistrict/SD-3 (Cottage Special Design Overlay) District to PD (Planned Development) District/SD-3 (Cottage Special Design Overlay) District in order to construct a transitional housing project consisting of ten new cottages and to relocate one unit of four existing units on the property, to extend Grace Court (private street) to Melvin Court.

Surrounding land uses and setting:

The site is bounded on the northerly side by Grace Street. Across Grace Street is a mixture of single-family and multi-family units. The west side of the property abuts single-family and multi-family dwellings and a commercial building that fronts Smalley Avenue. Commercial buildings and uses front Mission Boulevard. The site is bounded on the southerly side by Smalley Avenue and Melvin Court. Automotive related uses are located across Melvin Court. Across Smalley Avenue is a mixture of residential dwellings and vacated former automotive dealership property. The general character of the area is residential with commercial along Mission Boulevard.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

- | | | |
|--|---|--|
| <input type="checkbox"/> Land Use and Planning | <input type="checkbox"/> Transportation/Circulation | <input type="checkbox"/> Public Services |
| <input type="checkbox"/> Population and Housing | <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Utilities and Service Systems |
| <input type="checkbox"/> Geological Problems | <input type="checkbox"/> Energy and Mineral Resources | <input type="checkbox"/> Aesthetics |
| <input type="checkbox"/> Water | <input type="checkbox"/> Hazards | <input type="checkbox"/> Cultural Resources |
| <input type="checkbox"/> Air Quality | <input type="checkbox"/> Noise | <input type="checkbox"/> Recreation |
| <input type="checkbox"/> Mandatory Findings
of Significance | | |

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

- ☒ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- ☐ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described on an attached sheet have been added to the project. A MITIGATED NEGATIVE DECLARATION will be prepared.
- ☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- ☐ I find that the proposed project MAY have a significant effect(s) on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets, if the effect is a "potentially significant impact" or "potentially significant unless mitigated." An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- ☐ I find that although the proposed project could have a significant effect on the environment, there WILL NOT be a significant effect in this case because all potentially significant effects (a) have been analyzed adequately in an earlier EIR pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR, including revisions or mitigation measures that are imposed upon the proposed project.

Sheldon R. McClellan
Signature

July 28, 1999
Date

Sheldon R. McClellan
Printed name

City of Hayward
For

ENVIRONMENTAL IMPACTS:

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
I. LAND USE AND PLANNING. <i>Would the proposal:</i>				
a) Conflict with general plan designation or zoning?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p><u>Comment:</u> The site is comprised of 4 parcels totaling 1.9 acres. The General Policies Plan Map designates the property and area as <i>Commercial/High Density Residential</i>. The proposed project is consistent with the General Plan designation and the proposed PD District.</p>				
b) Conflict with applicable environmental plans or policies adopted by agencies with jurisdiction over the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Be incompatible with existing land use in the vicinity?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p><u>Comment:</u> The project is consistent with other residential projects and zoning in the area. The proposed 10 additional cottages would continue the cottage theme across the property that has been in place for many years.</p>				
d) Affect agricultural resources or operations (e.g., impacts to soils or farmlands, or impacts from incompatible land uses)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Disrupt or divide the physical arrangement of an established community (including a low-income or minority community)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Comment: The project site consists mainly of underutilized and vacant property under the same ownership. The proposed residential cottages will be more compatible than the existing automotive storage area at the south edge of the property and will be compatible with the existing four cottages on the property and other adjacent dwellings. The cottages would not displace low-income housing, but adds to the inventory of housing for low-income families under a program administered by the applicant.

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
--------------------------------------	--	------------------------------------	-----------

II. POPULATION AND HOUSING. *Would the proposal:*

- a) Cumulatively exceed official regional or local population projections?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

Comment: The increase in population (30± persons) resulting from the creation of 10 single-family lots will not exceed local population projections.

- b) Induce substantial growth in an area either directly or indirectly (e.g., through projects in an undeveloped area or extension of major infrastructure)?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

Comment: The surrounding area is developed, and therefore, the development of the subject site will not necessarily induce similar or larger projects in the area since vacant land is not available.

- c) Displace existing housing, especially affordable housing?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

Comment: No housing is being removed from the property. One of the existing four units is being relocated and 10 new dwellings are being proposed. These units are small, modest cottages that will be approximately 960 square feet in area and will contain only two bedrooms each. The owner is currently operating a transitional housing project which provides housing to low income families. This program is to continue.

III. GEOLOGIC PROBLEMS. *Would the proposal result in or expose people to potential impacts involving:*

- a) Fault rupture?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

Comment: The property is within the edge of the Hayward Earthquake Fault Zone. A portion of the area for the proposed 10 cottage units is within the fault zone. A geotechnical investigation ("Evaluation of Active Faulting, Property at and Adjacent to 22331 Mission Boulevard, California") has been prepared for the property by MS Geotechnical Consultants, Inc., Pleasanton, California, dated December 18, 1986. The conclusion of the report is that the active trace of the Hayward fault is located approximately two hundred fifty (250) feet to the northeast. The consultant states that the potential for future surface

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
<p>faulting through the southwestern one-third (1/3) of the site is low. Subsequent responses to comments made by the City Peer review were made by Mervel Engineering, Inc., dated November 29, 1999 and were found to be acceptable. The City's peer review consultant concludes that the applicant's engineer has addressed all concerns previously expressed and that the active trace of the Hayward fault is located east of Mission Boulevard, well east of the proposed development and that the report concludes that there is a low probability of active faulting occurring at the site.</p>				
<p>b) Seismic ground shaking?</p> <p><u>Comment:</u> The subject site is in an area shown in ABAG's report <i>On Shaky Ground</i> as having an anticipated Modified Mercalli Shaking Intensity of IX (Violent) for a 7.0 quake on the southern segment of the Hayward Fault. The proposed project will be required to be built to the most recent Uniform Building Code regulations which considers the potential for ground shaking.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>c) Seismic ground failure, including liquefaction?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>d) Seiche, tsunami, or volcanic hazard?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>e) Landslides or mudflows?</p> <p><u>Comment:</u> The site is not in a hilly area nor is it subject to mudflows.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>f) Erosion, changes in topography or unstable soil conditions from excavation, grading, or fill?</p> <p><u>Comment:</u> The site is being retained as a flat site and grading will be minimal.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>g) Subsidence of land?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>h) Expansive soils?</p> <p><u>Comment:</u> It is reasonable to conclude, from surrounding areas of the same deposition history, that the soil strata</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
below the surface of the site contains grey to dark grey silty clays and a light brown silty clay. The surface soils are moderately- to highly-expansive. Building foundations will be required to be designed to mitigate the effects of the expansive soils.				
i) Unique geologic or physical features?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
IV. WATER. Would the proposal result in:				
a) Changes in absorption rates, drainage patterns, or the rate and amount of surface runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<u>Comment:</u> The development of the site is not anticipated to significantly change the absorption rate of the existing commercial/residential development on the site. Minimal grading will be done in conjunction with the subdivision, which will not interfere with the existing drainage patterns on adjacent properties.				
b) Exposure of people or property to water related hazards such as flooding?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<u>Comment:</u> The site is not known to be subject to flooding. The site is within Zone C of the flood maps and is above the 500 year storm level.				
c) Discharge into surface waters or other alteration of surface water quality (e.g., temperature, dissolved oxygen or turbidity?)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Changes in the amount of surface water in any water body?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Changes in currents, or the course or direction of water movements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Change in the quantity of ground waters, either through direct additions or withdrawals, or through interception of an aquifer by cuts or excavations or through substantial loss of groundwater recharge capability?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Altered direction or rate of flow of groundwater?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Impacts to groundwater quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
--	--------------------------------------	--	------------------------------------	-----------

Comment: Storm drain lines will collect drainage at several locations within the subdivision and convey storm water to the existing storm drain system. The applicant is responsible for compliance with Federal, State and local water quality standards and regulations. This project is subject to a National Pollutant Discharge Elimination System (NPDES) permit.

- i) Substantial reduction in the amount of groundwater otherwise available for public water supplies?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

V. AIR QUALITY. *Would the proposal:*

- a) Violate any air quality standard or contribute to an existing or projected air quality violation?
- b) Expose sensitive receptors to pollutants?
- c) Alter air movement, moisture, or temperature, or cause any change in climate?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Comment: The proposed project will be required to comply with all applicable requirements of the *Bay Area Air Quality Management District*. The developer will be required to develop and implement appropriate dust control measures during construction. The project is not likely to create objectionable odors, or alter air movements, moisture, and temperature or cause any change in climate. Implementation of the required conditions of approval will reduce any identified impacts to a non-significant level.

- d) Create objectionable odors?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

VI. TRANSPORTATION/CIRCULATION. *Would the proposal result in:*

- a) Increased vehicle trips or traffic congestion?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

Comment/Impact: The small number of units proposed will not significantly increase the amount of traffic. The units have two bedrooms only and many of the families that rent the facilities under the program administered by the applicant do not own vehicles.

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Hazards to safety from design features (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Inadequate emergency access or access to nearby uses?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p><u>Comment:</u> The Fire Department has reviewed the project. The project will have to be made acceptable to Fire Department requirements and standards. The proposed extension of the private street is of sufficient width to provide access to emergency vehicles.</p>				
d) Insufficient parking capacity onsite or offsite?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p><u>Comment:</u> The site layout provides for adequate covered parking for the proposed increase in cottage units. While the applicant is seeking for a reduced number of parking spaces which serves the retail operation, they indicated that the existing parking lot that covers the retail use is much more than what is needed for this use, and therefore are willing to assign a portion of the parking lot area for residential usage.</p>				
e) Hazards or barriers for pedestrians or bicyclists?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflicts with adopted policies supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Rail, waterborne or air traffic impacts?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

VII. BIOLOGICAL RESOURCES. *Would the proposal result in impacts to*

a) Endangered, threatened or rare species or their habitats (including but not limited to plants, fish, insects, animals, and birds)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
---	--------------------------	--------------------------	--------------------------	-------------------------------------

Comment: The site is partially developed with four other cottages and the former Ritz Theater which is now being used as a Thrift retail store, and no known endangered, threatened or rare species or their habitats is known to exist on the property.

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Locally designated species (e.g., heritage trees)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Locally designated natural communities (e.g., oak forest, coastal habitat, etc.)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<u>Comment:</u> The site contains some large specimen trees. and a few of these will be retained within the development.				
d) Wetland habitat (e.g., marsh, riparian, and vernal pool)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Wildlife dispersal or migration corridors?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

VIII. ENERGY AND MINERAL RESOURCES. *Would the proposal:*

a) Conflict with adopted energy conservation plans?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Use nonrenewable resources in a wasteful and inefficient manner?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in the loss of availability of a known mineral resource that would be of future value to the region and the residents of the State?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

IX. HAZARDS. *Would the proposal involve:*

a) A risk of accidental explosion or release of hazardous substances (including, but not limited to, oil, pesticides, chemicals or radiation)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Possible interference with an emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) The creation of any health hazard or potential health hazard?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Comment: The Hazardous Materials Program Coordinator indicates that, based upon review of the property indicates that the change in land use from commercial (auto storage lot at the south edge of the property next to Smalley Avenue) to residential units will require that a Phase I investigation be done. There is no knowledge of soil contamination at this site, but that the Phase I report will have to be completed prior to issuance of a building permit.

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
--	--------------------------------------	--	------------------------------------	-----------

If there is any small amount of contamination, it is a reasonable assumption that the level of contamination from parked vehicles can be mitigated. Conditions of approval of the project will require that all contamination issues related to the proposal be resolved to the satisfaction of the Alameda County Health Care Services Agency, California Regional Water Quality Control Board (San Francisco Bay

Region) and the City of Hayward Fire Department prior to any construction activities.

- d) Increased fire hazard in areas with flammable brush, grass, or trees?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

X. NOISE. *Would the proposal result in:*

- a) Increases in existing noise levels?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

- b) Exposure of people to severe noise levels?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

XI. PUBLIC SERVICES. *Would the proposal have an effect upon, or result in a need for new or altered government services in any of the following areas:*

- a) Fire protection?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

- b) Police protection?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

- c) Schools?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

Comment: Based on Hayward Unified School District comment, the project will result in an estimated increase of 2 students in grades K-6. HUSD has indicated that there is sufficient classroom capacity at Cherryland School to accommodate the additional students. Older students attending 7th through 12th grades would attend Winton Intermediate School and Hayward High School. Payment of school fees will be required at the time of construction of the new units. Theoretically each unit could have a

child and more children could fall into the K-6 category, but some families could also be comprised of older family members where no children would be within the unit.

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
d) Maintenance of public facilities, including roads?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Other government services?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

XII. UTILITIES AND SERVICE SYSTEMS. *Would the proposal result in a need for new systems or supplies, or substantial alterations to the following utilities?*

a) Power or natural gas?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Communications systems?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Local or regional water treatment or distribution facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Sewer or septic tanks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Storm water drainage?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Comment: Storm water runoff is designated to drain into the steet storm sewer and will be channeled to the City's Surpher Creek system.

f) Solid waste disposal?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Local or regional water supplies?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

XIII. AESTHETICS. *Would the proposal?*

a) Affect a scenic vista or scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have a demonstrable negative aesthetic effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Comment: The small cottages will be designed in the Craftman's style and will blend in well with the other existing four cottages already on the property.

c) Create light or glare?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
---------------------------	--------------------------	--------------------------	--------------------------	-------------------------------------

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
XIV. CULTURAL RESOURCES. <i>Would the proposal:</i>				
a) Disturb paleontological resources?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Disturb archaeological resources?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have the potential to cause a physical change which would affect unique cultural values?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Restrict existing religious or sacred uses within the potential impact area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

XV. RECREATION. *Would the proposal:*

a) Increase the demand for neighborhood or regional parks or other recreational facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
---	--------------------------	--------------------------	-------------------------------------	--------------------------

Comment: This project would result in a demand for 0.15± acre of additional parkland. Prior to occupancy, the project sponsor will be required to pay for in-lieu park fees.

b) Affect existing recreational opportunities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
--	--------------------------	--------------------------	-------------------------------------	--------------------------

Comment: This project would result in a possible increase in the usage of the existing recreational opportunities in the neighborhood. The payment of in-lieu fees associated with the project will offset the increased demand for recreational facilities. The project will provide private open space for each unit.

XVI. MANDATORY FINDINGS OF SIGNIFICANCE.

- a) Does the project have the potential to degrade the **quality** of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

- b) Does the project have the potential to achieve short-term, to the disadvantage of long-term, environmental goals?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

- c) Does the project have impacts that are individually **limited**, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

- d) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

XVII. EARLIER ANALYSES.

- a) **Earlier analyses used.** None
- b) **Impacts adequately addressed.** Yes
- c) **Mitigation measures.** Conditions of approval.

RECEIVED

SEP 07 1999

September 5, 1999

PLANNING DIVISION

Dear Mr. McClellan:

This letter is in response to our conversation yesterday, concerning the construction of 10 cottages on Grace Court.

We are unable to attend the meeting on September 8, 1999. However, we have strong objections and concerns about this proposal.

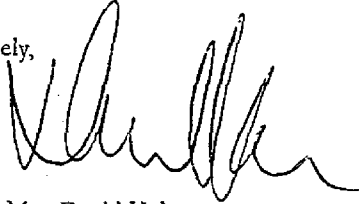
As far as we are concerned, our neighborhood has more than its share of transitional housing.

I understand only residents within 300 yards of the proposed housing were notified about this meeting on the 8th. We feel this is unfair and unreasonable. The city needs to reach more residents and inform them.

The Second Chance organization is a good example of what can happen to uninformed neighborhood.

Please count us as a no vote. We live here and are subjected to your actions.

Sincerely,

A handwritten signature in dark ink, appearing to read 'David Kolm', written over the word 'Sincerely,'.

Mr. & Mrs. David Kolm